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BY ECF

The Hon. Roslynn R. Mauskopf
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *United States v. Raheem Bert*, No. 14 Cr. 196 (RRM)

Dear Judge Mauskopf:

The defense submits this letter in advance of Mr. Bert's sentencing, which is scheduled for July 7, 2016. The defense respectfully requests that the Court state on the record at sentencing that Mr. Bert should serve the rest of his term at a Bureau of Prisons facility in the vicinity of Norfolk, Virginia that offers a Residential Drug Abuse Program ("RDAP"). It is our understanding from speaking to officials in the BOP Designation Department that the BOP is best able to follow judicial recommendations that specify one particular facility; accordingly, we ask that you specifically recommend placement including FCI Petersburg in Hopewell, Virginia. For the reasons set forth below, Mr. Bert's placement in such a facility will be critical to his successful reentry into the community.

Mr. Bert requests a designation near Norfolk, Virginia because—as the Court is well aware—he desperately wants and needs a fresh start there, away from his former environment in Staten Island. In fact, he has already built a reentry plan in Norfolk. In the brief time Mr. Bert was released and awaiting the Second Circuit's mandate, he lived with his aunt Luella Parker, a stable influence in his life who works at the local U.S. Navy base. Ms. Parker has confirmed to defense counsel and Probation that she will welcome Mr. Bert back into her home and assist him with his reentry. *See* Second Addendum to PSR at 3. Mr. Bert has also begun a romantic relationship with a childhood friend who lives in the area, and the two are planning to start a family together. And crucially, Mr. Bert has job prospects in Norfolk. Indeed, he missed his first-ever job interview, at a Home Depot, when he self-surrendered to this Court to serve the remainder of his sentence. Mr. Bert requests placement at a facility close to Norfolk so that he can continue to strengthen these crucial supportive relationships prior to his release.

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Mr. Bert also recognizes that the success of his reentry depends upon his coming to terms with his substance abuse problems. As the Court knows from the prior proceedings in this case, Mr. Bert was a chronic abuser of PCP before his incarceration, and he regularly used marijuana to cope with the abuse he suffered as a child. Mr. Bert managed to stay away from drugs during the brief period of his release, but he has struggled with addiction since he was a child, and he plainly needs intensive treatment and supervision to avoid relapse when this case is over. That is the point of RDAP. It is a successful program that has been empirically demonstrated to reduce recidivism and relapse in chronic drug abusers, and to “make a significant difference in the lives of offenders following their release from custody and return to the community.” Bureau of Prisons, “Substance Abuse Treatment: Residential Drug Abuse Program,” *at* https://www.bop.gov/inmates/custody_and_care/substance_abuse_treatment.jsp. We ask the Court to advise the Bureau of Prisons on the record at sentencing and in the J&C, based upon the Court’s familiarity with Mr. Bert’s history and characteristics, that a facility with RDAP is critical to his successful reentry, and that he should therefore be placed in such a facility.

Respectfully submitted,

/s James Darrow

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